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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In RE:

TINA C. MCKAY,

Debtor.

Case No.: BK-S-13-12701 BTB

IN PROCEEDINGS UNDER CHAPTER 7

**MOTION SEEKING AUTHORIZATION
TO DISTRIBUTE NET PROCEEDS
FROM SALE PURSUANT TO § 725 -
REAL PROPERTY**

**[1513 LAKE PLACID TERRACE,
HENDERSON, NV 89014]**

DATE: November 24, 2014

TIME: 11:00 a.m.

David A. Rosenberg chapter 7 trustee ("Trustee") for the bankruptcy estate of Tina Mckay ("Debtor"), hereby respectfully submits this *Motion Seeking Authorization to Distribute Net Proceeds From Sale Pursuant to § 725 – Real Property [1513 Lake Placid Terrace, Henderson, NV 89014]* ("Motion"). This Motion is made and based upon the points and authorities provided herein, the Declaration of David A. Rosenberg in Support of the Motion ("Rosenberg Declaration") filed concurrently herewith, the pleadings, papers, and other records on file with the clerk of the above-captioned Court, judicial notice of which is hereby requested, and any argument of counsel entertained by the Court at the time on the hearing of the Motion.

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MEMORANDUM OF POINTS AND AUTHORITIES

I. FACTS

1. On March 29, 2013, the Debtor filed a voluntary petition under chapter 7 of Title 11 U.S.C. § 101, et. seq. (“Bankruptcy Code”) in the United States Bankruptcy Court [Dkt. No. 1].

2. David A. Rosenberg is the duly appointed chapter 7 trustee of Debtor’s bankruptcy estate [Dkt. No. 6].

3. Among the assets of the bankruptcy estate there exists real property located at 1513 Lake Placid Terrace, Henderson, NV 89014 (“Property”).

4. On February 13, 2014, the Trustee filed his *Trustee’s Motion To Sell Assets Of The Estate Free And Clear Of Liens And Encumbrances And To Surcharge Proceeds Of Sale Or, In The Alternative, Motion To Sell Subject To Any And All Liens And Encumbrances — Real Property [1513 Lake Placid Terrace, Henderson, NV 89014]* [Dkt. No. 28].

5. On April 3, 2014, this Court entered an order (“Order”) [Dkt. No. 35] granting the motion. The Order provided:

I. The Court authorizes the escrow agent, at the closing, to disburse all remaining Proceeds to the Trustee (or, if the Trustee expressly directs the agent otherwise, some or all of the Proceeds may be disbursed to other parties). Proceeds disbursed to the Trustee may require an order by the Court directing the Trustee to distribute the Proceeds (“Order on Proceeds”);

M. Following entry of this Order, either: (a) a secured party in interest may demonstrate to the Trustee that said lienholder has a valid claim to the Proceeds; or (b) the Trustee may file an adversary complaint to determine the priority, extent, validity, and existence of liens against the Proceeds;

6. On April 16, 2014, pursuant to F.R.B.P. 6004(f), Trustee filed Trustee’s Report of Sale (“Report of Sale”) [Dkt. No. 36]. After paying all fees, costs, and other expenses authorized by this Court, the bankruptcy estate still holds \$63,509.88 from the sale of the Property (“Net Proceeds”). The Net Proceeds are fully encumbered, as the Order also provided:

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Recipient	Basis for Distribution	DistributionAmount
Nationstar Mortgage, LLC	First Mortgage Holder	\$63,509.88
Total		\$63,509.88

IV. CONCLUSION

WHEREFORE, the Trustee respectfully requests that this Court grant this Motion and issue an order authorizing the Trustee to distribute the \$63,509.88 of Net Proceeds to Nationstar Mortgage, LLC.

DATED: Wednesday, October 15, 2014.

Respectfully Submitted By:

/s/ David A. Rosenberg
 DAVID A. ROSENBERG
 US BANKRUPTCY TRUSTEE

DECLARATION

I declare, under penalty of perjury, that the foregoing is true and correct, to the best of my knowledge, information, and belief.

/s/ David A. Rosenberg
 David A. Rosenberg, Trustee